



# PUBLIC NOTICE

Federal Communications Commission  
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DA 18-499

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## WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PETITIONS FOR WAIVER AND EXPEDITED TEMPORARY WAIVER

### PLEADING CYCLE ESTABLISHED

WC Docket No. 18-100

Comment Date: May 25, 2018

By this Public Notice, the Wireline Competition Bureau seeks comment on a petition for waiver filed by South Dakota Network, LLC (SDN) on May 4, 2018,<sup>1</sup> and a petition for expedited temporary waiver by Minnesota Independent Equal Access Corporation (MIEAC) on May 9, 2018.<sup>2</sup> SDN and MIEAC each request waiver of section 69.3(f)(1) of the Commission's rules which requires them to submit their biennial access tariff filings with an effective date of July 1, 2018.<sup>3</sup> SDN seeks permission to submit its biennial access tariff on September 17, 2018, with an effective date of October 2, 2018, citing the Commission's recent order designating issues for investigation regarding the tariff for Iowa Network Access Division d/b/a Aureon.<sup>4</sup> Similarly, MIEAC states that having a limited temporary waiver until October 2, 2018, will "enable more effective implementation of overall tariff policy by avoiding expenditure of private and public resources on duplicative regulatory compliance and oversight."<sup>5</sup>

Interested parties may file comments and reply comments on or before the dates indicated above. All pleadings are to reference **WC Docket No. 18-100**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS), or by filing paper copies.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by

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<sup>1</sup> Petition for Waiver of South Dakota Network, LLC, WC Docket No. 18-100 (filed May 4, 2018) (SDN Petition).

<sup>2</sup> Petition for Expedited Temporary Waiver of Minnesota Independent Equal Access Corporation, WC Docket 18-100 (filed May 9, 2018) (MIEAC Petition).

<sup>3</sup> 47 CFR § 69(f)(1).

<sup>4</sup> SDN Petition at 1 (referencing *In the Matter of Iowa Network Access Division Tariff F.C.C. No. 1*, WC Docket No. 18-60, Order Designating Issues for Investigation, DA 18-395 (rel. Apr. 19, 2018)).

<sup>5</sup> MIEAC Petition at 4-5.

first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12<sup>th</sup> Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

The proceeding this petition initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>6</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Submissions will be publicly available online via ECFS.<sup>7</sup> These documents will also be available for public inspection during regular business hours in the FCC Reference Information Center, which is located in Room CY-A257 at FCC Headquarters, 445 12<sup>th</sup> Street, SW, Washington, DC 20554.

For further information, please contact Belinda E. Nixon, Pricing Policy Division, Wireline Competition Bureau, at (202) 418-1382 or via email at [Belinda.Nixon@fcc.gov](mailto:Belinda.Nixon@fcc.gov).

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<sup>6</sup> 47 CFR §§ 1.1200 *et seq.*

<sup>7</sup> Documents will generally be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.